

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47208 of 2024

Arising Out of PS. Case No.-122 Year-2024 Thana- NARPATGANJ District- Araria

Saurav Ranjan Son of Ram Babu Ray Resident of Vill- Nandpuri, P.O.-
Bhagwanpur, P.S.- Sadar, District Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar, Adv
For the Opposite Party/s : Mr.Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 11-12-2024 Heard learned Counsel for the petitioner and

Learned APP for the State.

2. The petitioner seeks bail in connection with
Narpatganj P.S. Case No. 122 of 2024 instituted for the offences
punishable under Section 30(a), Bihar Prohibition and Excise
Act.

3. As per the prosecution case, F.I.R. has been lodged
against four named accused persons and owner of the alleged
vehicle against whom there is an allegation that there is
recovery of 948 litre of liquor from their possession.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that he has clean antecedent. He further submits that



petitioner is not the owner of the vehicle namely Tata 407 bearing Registration No. BR06GA-7549. He submits that he has sold his vehicle earlier in favour of one Mithilesh Ray on 27.09.2023 and when police knocked his door then he came to know his vehicle is used in liquor smuggling.

5. Learned counsel for the State opposes the prayer of bai of the petitioner and submitted that anticipatory bail is barred by the provision of Section 76(2) of the Bihar Prohibition and Excise Act.

6. From perusal of the paragraph 39 case diary, it appears that the petitioner is only the owner of the vehicle.

7. Considering the aforesaid facts and circumstances of the case and the fact that petitioner is the owner of the vehicle i.e. Tata 407 bearing Registration No. BR06GA-7549, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the bail application of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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